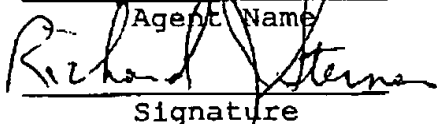


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desousa, et al.
Serial No. : 09/341,196 Examiner: G. Gabel
Filed : July 6, 1999 Group Art Unit: 1641
For : SCINTILLATION PROXIMITY ASSAY FOR THE
DETECTION OF PEPTIDOGLYCAN SYNTHESIS

I hereby certify that this paper is being
facsimile transmitted to The U.S. Patent
and Trademark Office, Alexandria, VA
22313-1450, on July 12, 2004.

Richard J. Sterner	35,372
Agent Name	PTO Reg. No.
	July 12, 2004
Signature	Date of Signature

Attn: Examiner G. Gabel
Art Unit: 1641
Facsimile No.: 703-872-9306
No. of pages: 2

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OFPATENT APPEALS AND INTERFERENCES

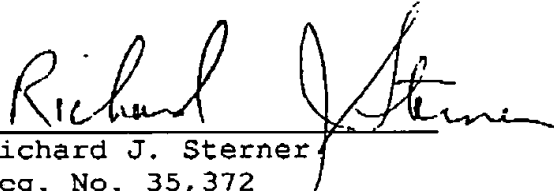
Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated January 12, 2004 of the
Primary Examiner finally rejecting claims 2-9. The Commissioner

is hereby authorized to charge the \$330 fee required for filing a Notice of Appeal to Deposit Account No. 23-1703. Any additional fees which may be required for any reason may likewise be charged.

Dated: July 12, 2004

Respectfully submitted,


Richard J. Sterner
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